

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: EPHEDRA PRODUCTS LIABILITY	: 04 MD 1598 (JSR)
LITIGATION	:
	:
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	: 06 CV 00014
Pertains to:	:
	: NOTICE OF MOTION OF
Harbir Singh, <i>et al.</i> v. Herbalife International	: HERBALIFE INTERNATIONAL
Communications, Inc., <i>et al.</i>	: COMMUNICATIONS, INC.,
	: HERBALIFE INTERNATIONAL
	: OF AMERICA, INC., AND STEVE
	: PETERSON FOR SUMMARY
-----	X JUDGMENT

PLEASE TAKE NOTICE that, pursuant to Rule 56 of the Federal Rules of Civil Procedure and all applicable Case Management Orders in this multi-district litigation, defendants Herbalife International Communications, Inc., Herbalife International of America, Inc., and Steve Peterson (collectively “Herbalife”), by and through their counsel, request that the Court grant summary judgment on grounds that plaintiff cannot show causation as to any alleged injury or any basis for liability.

PLEASE TAKE FURTHER NOTICE that pursuant to the applicable Case Management Orders, answering papers, if any, shall be served on or before 14 days after this motion is served, reply papers shall be served on or before 7 days after answering papers are served, and oral argument will be held at the next Ephedra MDL status conference occurring at least ten business days after the last paper is due.

PLEASE TAKE FURTHER NOTICE that in support of their motion, Herbalife shall rely upon:

1. The July 27, 2007 Declaration of Joanne M. Gray, and the exhibits thereto; and

2. The Statement Of Undisputed Material Facts In Support Of Motion Of Defendants Herbalife International Communications, Inc., Herbalife International Of America, Inc., And Steve Peterson For Summary Judgment,

3. Herbalife International Communications, Inc.'s, Herbalife International Of America, Inc.'s, And Steve Peterson's Memorandum Of Law In Support Of Motion For Summary Judgment, and

4. All other pleadings and proceedings herein.

Dated: July 27, 2007

/s/ Joanne M. Gray

Joanne M. Gray (JG7287)

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HERBALIFE INTERNATIONAL COMMUNICATIONS, INC.,

HERBALIFE INTERNATIONAL OF AMERICA, INC., AND

STEVE PETERSON

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2007, I caused a true and correct copy of the foregoing NOTICE OF MOTION OF HERBALIFE INTERNATIONAL COMMUNICATIONS, INC., HERBALIFE INTERNATIONAL OF AMERICA, INC., AND STEVE PETERSON FOR SUMMARY JUDGMENT to be served via E-Mail, via Federal Express overnight mail, and via the Electronic Case Filing system, upon:

David B. Rheingold, Esq.
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/s/ Joanne M. Gray
Joanne M. Gray